

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CV-00282-FL

THOMPSON AUTOMOTIVE LABS, LLC,

Plaintiff/Counter-Defendant,

v.

ILLINOIS TOOL WORKS INC.,

Defendant/Counter-Plaintiff.

**ORDER ON DEFENDANT/COUNTER-
PLAINTIFF'S MOTION TO SEAL**

This matter is before the Court on Defendant/Counter-Plaintiff's Motion to Seal ("Motion"). After considering the Motion and supporting memorandum, the Court **grants** the Motion.

Specifically, the Court finds that the Defendant/Counter-Plaintiff has demonstrated that ITW's Filings—consisting of ITW's Memorandum in Support of Motion to Strike Expert Testimony; the Declaration of Eric Robertson in Support of ITW's Motion to Strike Expert Testimony with submitted exhibits; ITW's Memorandum in Support of Motion for Summary Judgment; ITW's Statement of Material Facts in Support of Motion for Summary Judgment; and exhibits submitted with ITW's Statement of Material Facts in Support of Motion for Summary Judgment—contain highly confidential, proprietary business information that merits protection under the Court's Amended Protective Order (*see* D.E. 75), the disclosure of which would result in competitive harm to Defendant-Counter/Plaintiff's business; that Defendant-Counter/Plaintiff's interest in maintaining confidentiality overcomes any presumption of public access under the First Amendment or common law; and that the public has not expressed any interest in the information at issue, and no party has objected to maintaining the documents under seal.

In addition, Defendant-Counter/Plaintiff has further limited the amount of information that is not publicly available by submitting redacted versions of ITW's Filings.

Accordingly, **IT IS ORDERED** that confidential designated portions of ITW's Filings shall be filed under seal.

SO ORDERED, this the 25th day of January, 2019.

A handwritten signature in black ink, reading "David W. Elmer". The signature is written in a cursive style with a large, looped initial "D".

District Court Judge